

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

M E M O R A N D U M

Honorable Edward J. Garcia
Senior United States District Judge
Sacramento, California

**RE: Carmen Necye GRIFFIN
Docket Number: 2:04CR00375-01
WITHDRAWAL OF PETITION**

Your Honor:

It is respectfully requested that the petition filed on June 22, 2006, on the above named supervised releasee, be dismissed and taken off the Court's calendar of February 2, 2007, at 10:00 a.m.

On June 22, 2006, the undersigned submitted a petition to the Court alleging violations of the offender's condition of supervised release. In accordance with that petition, the undersigned recommended issuance of a warrant. The Court issued the warrant on June 22, 2006.

The offender was also under the supervision of the Solano County Probation Department. Their office had also requested a violation warrant around the same time that Your Honor issued a warrant. Ms. Griffin was arrested on the county probation warrant on August 7, 2006. On August 14, 2006, she admitted her county probation violations which consisted of failure to maintain contact with her probation officer and failure to complete a 52-week domestic violence program. Her probation was terminated and she was ordered to serve 365 days in county jail. On January 17, 2007, the releasee completed her county jail term at which time the federal supervised release violation warrant was executed and she was brought into federal custody. She made her initial appearance on January 17, 2007, before the Magistrate Judge, at which time, she was released and the matter was continued until February 2, 2007, before Your Honor.

The releasee is maintaining contact with the undersigned. She has been referred to the probation office's outpatient contract testing and counseling program in Vallejo, California. She is again, living with her father in Vallejo, California, and presently seeking employment. The underlying petition alleges two technical violations, her failure to participate in testing and her failure to submit monthly supervision reports. The releasee spent from August 7, 2006 through January 17, 2007, in Solano County Jail on her county probation violation. The undersigned does not believe that any further incarceration, based on her violations

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of Your Honor's conditions of supervised release, will prove beneficial. Therefore, we are requesting that the Court dismiss the underlying petition and take the matter off the Court's calendar of February 2, 2007. The releasee appears to be compliant with the directives of the undersigned.

Respectfully Submitted,

/s/Glenn P. Simon
GLENN P. SIMON
United States Probation Officer

DATED: January 26, 2007
Sacramento, California
GPS/cp

REVIEWED BY: /s/Kyriacos M. Simonidis
KYRIACOS M. SIMONIDIS
Supervising United States Probation Officer

ORDER OF THE COURT:

- ☒ [X] The petition filed on June 22, 2006, is hereby dismissed and taken off the Court's calendar of February 2, 2007.
- ☐ [] Case shall remain on calendar as previously ordered.
- ☐ [] Other:

February 1, 2007
Date

/s/ Edward J. Garcia
EDWARD J. GARCIA
Senior United States District Judge